

1900-060 Chancery Causes: Ozro Young & vs. R. Wellington Young &  
Lee Co.

Sage, Freeman, Duff

1 Plat

CA-Estate Dispute  
T-Property  
Migration



To The Honorable W.T. Miller Judge of the Circuit  
Court of Lee County Virginia:-

Humbly complaining your Orators and Oratrix, Ozro Young, Bradford Young, Fay Sage, nee Young, and Sampson Sage her husband, will respectfully show to your honor, that recently, to wit, on the day of \_\_\_\_\_ 1899, Robert D. Young, a citizen of Lee County, departed this life intestate, seized and possessed of a valuable estate, consisting of personalty and realty, that letters of administration on his personal estate were granted to your Orator, Ozro Young, that by virtue thereof he has possessed himself of said personal estate and is proceeding as rapidly as he can to convert the same into money, for distribution among those entitled; that the real estate possessed by the said decedent at the time of his death consisted of his "Home Tract" upon which he resided, containing some two hundred acres, and an undivided moiety in a one hundred acre tract adjoining said home tract, owned jointly by himself and his brother C.V. Young.

These lands are valuable, and are, as your Orators and Oratrix, believe, easily susceptible of partition in kind. Your Orators and Oratrix will now show your honor that the said decedent left the following children and grand children who are his heirs at law, to whom said estate both real and personal descended, to wit, R. Wellington Young, Rosamond Young who intermarried with John T. Freeman, <sup>Victoria</sup> ~~Lizzie~~ Young who intermarried with George Duff, Ossie Young, Cornie Young, Forest Young and Wellington Young who are grand children of said decedent, and children and heirs at law of Marcellus Young deceased, who was a son of said decedent, Lizzie Young and Eva Young, also grand children of said decedent, and children and heirs at law of Alonzo Young deceased, who was another son of the said decedent, Bradford Young, Ozro Young and Fay Sage nee Young, wife of said Sampson Sage. The said Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, grandchildren as aforesaid, are all infants under the age of 21 years, they are likewise non residents of the state of Virginia, and have no guardians in this state.

R. Wellington Young, Rosamond Freeman and John T. Freeman her husband and Victoria Duff and George Duff her husband are also non residents of the state of Virginia. Now the object of this bill is to partition the land



of which the said R.D. Young died seized among his heirs, including his interest in the tract owned jointly by himself and his brother C.V. Young and to this end to partition <sup>the</sup> said tract between the said C.V. Young and the children and heirs at law of the said R.D. Young deceased, and to distribute the personal estate of said decedent among his heirs, and for that purpose, to settle, if necessary, the administration account of your Orator, the said Ozro Young, and being without adequate remedy at common law, your Orators and Oratrix pray your honor's court of chancery to take cognizance of their cause and grant them proper relief, to this end they pray that R. Wellington Young, Rosamond Freeman and John T. Freeman her husband, Victoria Duff and George Duff her husband, Ossie Young, Cornie Young, Forest Young and Wellington Young children and heirs at law of Marcellus Young deceased, Lizzie Young and Eva Young children and heirs at law of Alonzo Young deceased and C.V. Young be made the parties defendant to this bill, that they be required to answer the same, but they need not do so under oath as that is waived, that upon a final hearing that the lands owned jointly by the said C.V. Young and said decedent be partitioned, and then that all the lands owned by the said R.D. Young at the time of his death be partitioned among his several heirs, that in making this partitioned that the share of any one of said heirs may be laid off adjoining such other lands as he or she may own, provided the same can be done without material injury to the rights of the other heirs, that the administration account be settled and distribution made of the personalty among those entitled, that order of publication be made against the nonresident defendants and that ~~an~~ a guardian ad litem be appointed to defend the rights of said infants, and for full general relief. May Spa. issue &c.

C. T. Duncan  
PQ



Cornu Com

Carnival Com 37.00  
Hobbs Com 7.00  
Banner Com 8.00  
James Hoge 1 1/2 days 1.50  
Bryant Fannon 1 1/2 <sup>day</sup> 1.50  
\$55.00

Ozro Young & others

vs. Bill In Chery

R. Wellington Young et al

1899. 1st October rules bill filed  
Spa executed on home gifts  
T. O. P for non residents  
T. D. M

" 2nd October rules ans of  
L. A. L filed T. O. P. Complete  
D. M confirmed & Cause  
set for hearing.

Nov Term 1900 Decree final

OB No 6 Page 440.

Plffs Costs

Tax 1.50  
Clerk 12.57  
Sheriff 2.00  
atty 15.00  
Printer 5.00  
Comrs 55.00  
L. A. L 5.00  
Co Clerk 6.00  
\$92.57

Carnival Com 37.00  
Hobbs Com 3 1/2 <sup>day</sup> 7.00  
Banner .. 4 day 8.00  
James Hoge 1 1/2 day 1.50  
Bryant Fannon 1 1/2 <sup>day</sup> 1.50  
\$55.00

C. V. Young to pay  
\$10.03



To the Honorable H.A.W.Skeen, Judge of the circuit court for Lee county, Virginia:

The answer of Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, infants under the age of twenty-one years, by L.T.Hyatt, their guardian ad litem, assigned to defend them in this suit, to a bill of complaint exhibited against them and others in said court by Ozro Young and others.

Respondents, reserving to themselves the benefit of all just exceptions to said bill, for answer thereto, or to so much thereof as they are advised it is material they should answer, answering say, by their said guardian ad litem:

That they are infants of tender years, and, by reason of their infancy, are incapable of understanding or of taking care of their rights and interests. They therefore, by their said guardian ad litem, commend themselves and their rights and interests to the protection of the court, and pray that no decree may be pronounced which will tend to their prejudice.

And now having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray &c.

L.T.Hyatt, Guardian ad litem for  
Ossie Young, Cornie Young, Forest  
Young, Wellington Young, Lizzie Young and  
Eva Young, infants in 21 years of age.

-----  
Virginia, Lee county, to wit:

This day personally appeared before me, A.B.Munsey, Clerk of the Circuit Court for said county, L.T.Hyatt, guardian ad litem for Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, whose answer is above written, and made oath



that the statements therein contained, so far as made of his own knowledge, are true, and so far as made from knowledge or information derived from other sources, he believes said statements to be true.

Given under my hand this the 28th day of November, 1899.

A. B. Munsey, Clerk.



be true.  
information derived from other sources, he believes said statements to  
knowledge, are true, and so far as made from knowledge or infor-  
that the statements therein contained, so far as made of his own

Given under my hand this 18th day of November, 1899.

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Ozro Young et als.  
vs  $\frac{3}{2}$  In Chancery  
R. Wellington Young  
Et al.

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Answer of Infants  
Defendants by L.P.  
Hyatt, Their Guardi-  
an ad litem.

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Filed October the 16<sup>th</sup> 1899  
A.B. Munsey Clerk

G.A.L. fee \$5.00



Ozro Young et al

Vs.

R. Wellington Young et al.

This cause came on this day to be again heard on the papers formerly read and the plat and report of partition ~~of~~ of the lands in the bill and proceedings mentioned, made by L.M. Carmical, J.E. Hobbs and V.S. Banner, commissioners appointed for the purpose, which report was filed on the 7th day of November, 1900; and was argued by counsel: and there being no exceptions to said report, and the same being seen and inspected by the Court, it is adjudged ordered and decreed that ~~said~~ said report and partition be, and the same is hereby, confirmed: On consideration whereof it is adjudged, ordered and decreed that C.V. Young take and hold free from the claim of the heirs of Robert D. Young deceased, that part of the 135 acre tract shown by the letters A, B, F and A on said plat; and that the heirs of R.D. Young, deceased, take and hold the residue of said tract, and that the said C.V. Young take and hold the store-house lot, described in said report and partition: that Lizzie Young and Elva Young, heirs at law of Alonzo Young, deceased take and hold lot No. 1; that Ozro Young take and hold lot No. 2: that Victoria Duff take and hold lot No. 3: that Fay Sage take and hold lot No. 4; that the heirs of Marcellus Young, deceased take and hold lot No. 5 and lot No. 5 "prime": that R.W. Young take and hold lot No. 6: that Rosamond Freeman take and hold lot No. 7: that Bradford Young take and hold lot No. 8, each by the metes and bounds thereof as described in said partition report, and free from the claims of the other coparceners; and it is further adjudged, ordered and decreed that the Clerk of this Court furnish said report and plat together with a copy of the decree appointing said Commissioners and a copy of this decree to the Clerk of the County Court to be recorded by him in the proper Deed Book in his office, which when so recorded shall constitute to each of the parties interested in said lands muniments of title as ample and sufficient as if deeds of partition had been made, executed and delivered by and between said parties; and it is further adjudged, ordered and decreed that the costs of this suit be paid equally by the parties in interest according to their respective interests, except as to the partition of the 135 acre tract between C.V. Young and the heirs of R.D.



Young deceased, one-half of which shall be borne and paid by the said C.V. Young, and the residue by the heirs of R.D. Young, deceased. Said costs shall be taxed by the Clerk for which execution may issue, and said costs may be paid by the administrator of R.D. Young deceased, out of any funds in his hands going to said heirs, and if paid by said administrator he will take receipt for the same which shall constitute credit to him on the settlement of his account as such administrator: and this cause is stricken from the docket.

Ozro Young et al  
vs  
Z. Deane Junior  
R. Williamson Young et al

Enter this decree

H. A. W. Shuman  
Nov 9<sup>th</sup> 1900  
Entered on  
Chy. D. B. No. 6.  
P. 440.



Ozro Young et als

Plaintiffs

vs.

R. Wellington et als.

Defendants

This cause came on ~~on~~ this day to be heard on the bill of the complainants ~~the~~ answer of the infant defendants, Ossie Young, Cornie Young, Forest Young, Wellington Young, Lizzie Young and Eva Young, by L.T. Hyatt their guardian ad litem and general replication to said answer and was argued by counsel: And it appearing to the court that process has been duly served upon the home defendants and that order of Publication has been duly made, posted, published and completed for more than fifteen days before the first day of this term of the court, <sup>against the non resident defendants</sup> and that they have each failed to appear, plead ~~demur~~ <sup>answer</sup> or demur to said bill, the same is taken for confessed as to them and each of them, on consideration of which, and it appearing to the court that the parties are entitled to have partition of said land and the same can be had in kind, it is therefore adjudged ordered, and decreed that E.M. Carnical, J.E. Hobbs and V.S. Banner do go upon the lands in the bill mentioned and partition the same among those entitled thereto. They will first partition the lands owned jointly by the defendant C.V. Young and his brother R.D. Young, now deceased, giving to the said C.V. Young one equal half in value thereof quantity and quality considered and to the heirs of the said R.D. Young deceased the other half thereof, which half so laid off to the heirs of the said R.D. Young, said commissioners will lay off adjoining the other lands owned by the said R.D. Young in his life time if the same can be done without material injury to the interest of the owner of the other half of said tract. Said commissioners will then partition all the lands owned by the said R.D. Young among his heirs. They will assign to the plaintiff Ozro Young one equal eighth part thereof, to Bradford Young one equal eighth thereof, to Fay Sage one equal eighth thereof to R. Wellington Young one equal eighth thereof, to Rosamond Freeman one equal eighth thereof, to Victoria Duff one equal eighth thereof, to Ossie Young, Cornie Young, Forrest Young and Wellington Young children and heirs at law of Marcellus Young deceased, one equal eighth thereof, to Lizzie Young and Eva Young, children and heirs at



law of Alonzo Young deceased the other equal eighth thereof, having due regard to quantity, quality, ways, water and other conveniences of said land. In making said partition said commissioners will lay off the share of any one of said heirs adjoining <sup>any</sup> other lands owned by them or by the husband of any one of said heirs, if the same can be done without injury to the other parties interested in said partition. Said commissioners will make a fair plat and report of their proceedings and return <sup>therein</sup> to this court. And this cause is continued.



Ozro Young et als.

vs.  $\frac{1}{2}$  Deaver for partition

R. Millington Young et al

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Entered on Chy C.B.  
No C.P. 305 & 306.

Enter this deaver

for a new share

Nov 13<sup>th</sup> 1899,



(3 Copies)

Virginia

At a circuit Court Continued and held  
for Lee County at the Court-house thereof on  
Monday November the 13th 1899.

Ozro Young et als

Plaintiffs

vs

In Chancery

R. Wellington Young et als Defendants

This Cause came on again this day to  
be heard &c ~~###~~ ~~###~~ ~~###~~ ~~###~~ ~~###~~ ~~###~~ ~~###~~ ~~###~~  
and it appearing to the Court that the parties  
are entitled to have partition of said land it  
is therefore adjudged ordered and decreed that  
L. M. Barrickal, J. E. Hobbs and V. S. Banner  
do go upon the lands in the bill men-  
tioned, and partition the same among  
those entitled thereto. They will first parti-  
tion the lands owned by the defendant C. V.  
Young and his brother R. D. Young now  
deceased, giving to the said C. V. Young one  
equal half in Value thereof quantity and  
quality considered, and <sup>to</sup> the heirs of the said  
R. D. Young deceased the other half thereof  
which half so laid off to the heirs of the  
said R. D. Young said Commissioners will  
lay off adjoining the other lands owned by  
the said R. D. Young in his life time if  
the same can be done without material



injury to the interest of the owner of the other half in said tract; said Commissioners will then partition all the lands owned by the said R. D. Young among his heirs.

They will assign to the Plaintiff Ozro Young one equal eighth part thereof, to Bradford Young one equal eighth part thereof, to Fay <sup>to Victoria Duff</sup> one equal eighth part thereof, to R. Bage one equal eighth part thereof, to R. Wellington Young one equal eighth part thereof, to Rosamond Freeman one equal eighth part thereof; to Ossie Young, Bernice Young Forest Young and Wellington Children and heirs at law Marcellus Young deceased one equal eighth thereof; to Lizzie Young and Eva Young Children and heirs at law of Alonzo Young deceased the other eighth thereof having due regard to quantity, quality, ways, water, and other conveniences of said land.

In making said partition said Commissioners will lay off the share of any one of said heirs adjoining any lands owned by them, or by the husband of any one of said heirs if the same can be done without injury to the other parties interested in said partition, said Commissioners will make a fair plat and report of their proceedings and return them to this Court. And this Cause is Continued.

Abstract

Copy A B Munsey Clerk



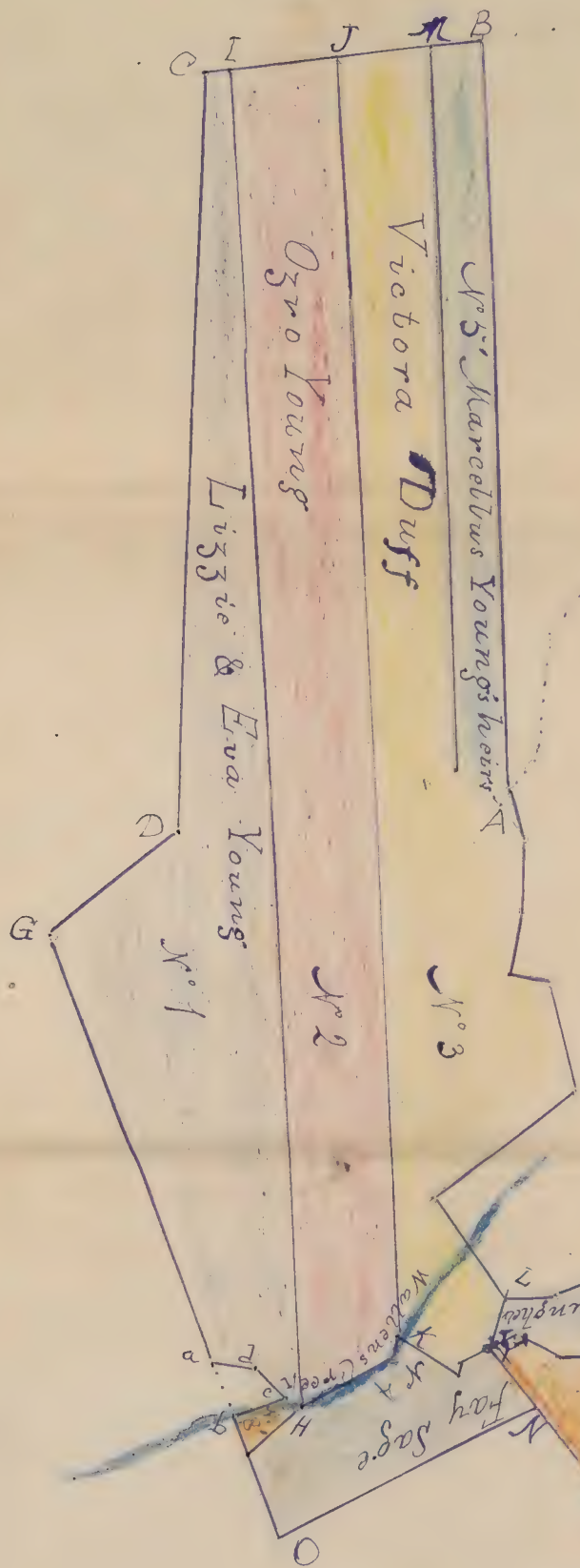
Ozro Young et al  
vs } Copies of Decree

R Wellington Young et al  
Executed by delivering  
an attested office copy  
of the within Decree to  
L M Carnical, J. E. Hobbs  
& V. S. Banner, this the  
10 day of Jan 1900

R. D. Lindsay Dept  
for W. J. Milham SdC

Copies for L M Carnical  
J. E. Hobbs & V. S. Banner

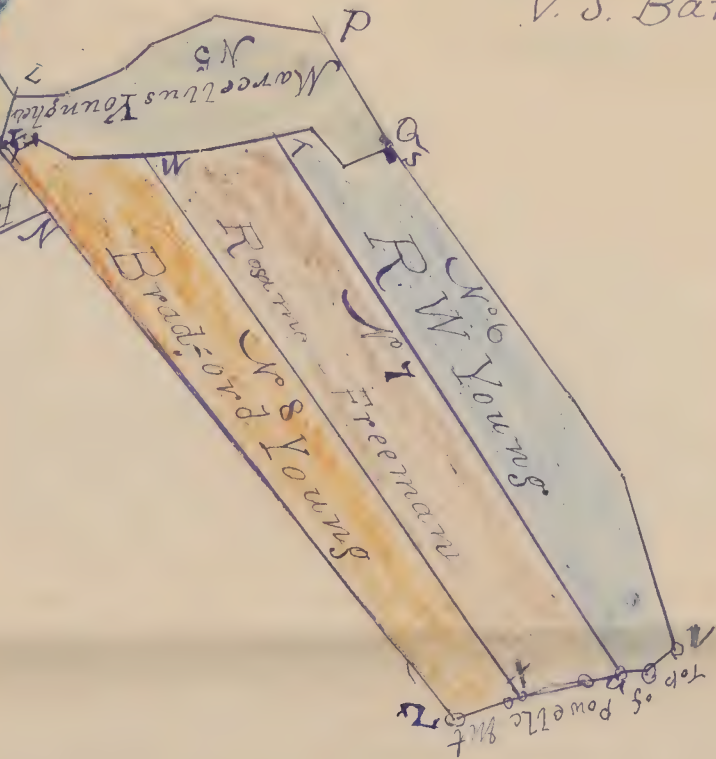




C.V. Young's

Partition  
of the  
R.D. Young's Land  
1900

L.M. Carmical  
J.E. Hobbs } Comm  
V.S. Banner





Ozro Young  
vs { Plat + Report

R. Wellington Young

Filed Nov 7th 1900

A.B. Munsey Clerk



Ogden Young et al Plaintiff  
vs

In Chancery

A. Wellington Young et al Defendants

Pursuant to an order of the Circuit Court  
in the above styled Cause dated Nov 13<sup>th</sup> 1893  
the undersigned Commissioners L. M. Car-  
michael, J. C. Hobbs & V. S. Garrison have partition-  
ed the land in the bill mentioned accord-  
ing to the following Report and Report.

We found the land owned jointly by  
R. D. Young & C. W. Young to consist of two  
separate tracts one in land containing  
about 135 acres and the other parcel as  
the Stone house lot containing about one  
acre. We partitioned the larger tract  
so as to give to the heirs of R. D. Young  
that quantity which we ascertained equal  
in value to one half of said tract adjoin-  
ing their other lands. Beginning at the  
stable at the north end of a line  
thence S 60° 16' poles to (B) a chestnut  
on the north original line thence back  
to a corner S 72° 34' W at 60 poles to (C)  
a buckeye & red oak on the east bank  
of Dry Creek the north west corner of  
the original tract thence with the original  
line S 12° 16' poles to (D) a stable  
thence various courses with the south  
boundary of timber to the beginning  
Containing 60 acres more or less.  
We assign the remaining part of said  
135 acres to said C. W. Young bounded



as follows Beginning at (A) a stake at the  
North end of a line Thence with a line  
of the Spanish Canon Tract N 64° 16' 45" E  
to (B) a Chestnut & 30 in. post in place of  
the same N 72° 36' 24" E to E a corner  
point in an agreed corner Thence with the  
agreed East line of tract 92° 46' 100 1/2 poles  
to F a Chestnut & 30 in. post in place of  
Spanish oak, thence with the South edge  
of washer various courses containing 75  
poles more or less -

The one half in value to the stone house lot  
which is again to C. V. Young as bounded  
thence Beginning at (a) a sugar tree  
the North West original corner thence with  
the West line of tract 82° 2' 51" E 11 1/2 poles to (b)  
stake N 68° 6' poles to c a stake on the  
East line and with the same N 47° 5' E  
8 1/2 poles to d a saw corner thence with the  
North line N 85° 11' 10" poles to the begin-  
ning. Having thus partitioned these two tracts  
of land we proceeded to partition the entire  
body of land thus owned by the said R. D.  
Young as follows. We have land  
off and adjacent to the line of the Young  
second zigzag line Young jointly and  
severally as follows Beginning at (A)  
a stone stake on the North bank of Walker  
Creek a corner to the stone house lot  
thence with line of same N 47° 15' 13 1/2 poles to (d)  
a saw corner N 85° 11' 10" poles to (a) a sugar  
tree on the West original line and with the



The same at 22° 31' 40" poles to a rock about  
one mile South of a bucking and in  
a line there continuing with original line  
447 to 36 poles to (I) a stake original corner  
thence continuing with original line  
1 1/2 W 16 1/2 poles to (C) a rock and back  
age the 1 to the west original corner there  
with original line 4 23 1/2 to 5 poles to a rock  
which is the corner 86 E 23 1/2 poles to a stake  
in said creek and with the same  
to the beginning containing 41  
acres more or less.

We have laid off and surveyed to Oregon  
County Lot 1 & 2 bounded in this manner  
Beginning at (I) a small history on the  
North line, corner to Lot 1, thence with  
said line 175 1/2 to 23 1/2 poles to (J) a stake &  
thence 86 E 23 1/2 poles to a stake in  
creek and with the same to (H) a stake  
the South West corner of Lot 1 and with  
line there to 16 W 95 poles to the begin-  
ning containing 41 acres more or  
less.

We have laid off and surveyed to Vict-  
oria Duff Lot 1 & 3 bounded as  
follows Beginning at (A) a stake  
at the North end of a lane corner to  
(B) George Land thence with a road  
being the original division line S 17 1/2 E  
110 poles S 24 E 17 1/2 poles 86 3/4 W 13 1/2 poles S 84 E 8 1/2  
poles S 17 1/2 E 24 1/2 poles to a stake the North  
East end of George Land thence with a fence



S49W 39 $\frac{1}{2}$  poles to a stake at the end of orchard  
thence S 39 $\frac{1}{2}$  E 27 poles to (K) a stake  
and top of a cliff over a dyke more thence  
S 74W 10 poles to a stake on the south side  
of road S 55W 8 poles S 21W 2 $\frac{1}{2}$  poles to  
a stake corner to Lot No 4 and with line  
thence N 61W 16 poles to a stake in creek  
thence with line of Lot No 2 to (J)  
a stake on the north line and with the  
same S 79 $\frac{1}{2}$  E 2 $\frac{1}{4}$  poles to (H) a small  
white oak corner to Lot 5' and with line  
of same S 68 $\frac{1}{2}$  E 16 poles to a white oak  
thence S 17 $\frac{1}{2}$  E 12 $\frac{1}{2}$  poles to a stake & 2066 8 $\frac{33}{100}$  feet  
to the beginning containing 41 acres  
all on or left

Now have laid off and agreed to Fay  
Sage Lot No 4 bounded as here  
written Beginning at (K) a stake the North  
East corner of Samps Sage's land thence  
N 42 $\frac{1}{2}$ W 18 $\frac{3}{10}$  poles to a stake on the up south side  
of road and near on oak thence S 45 $\frac{1}{2}$ W 5 poles  
to a stake corner to Lot No 3 S 21 $\frac{1}{2}$ W 2 $\frac{1}{2}$  poles to  
a stake a little west of fence corner to orchard thence  
with line of Lot No 3 S 61W 16 poles to (L) a stake in  
creek thence with creek to line of Lot  
No 8' and with it S 44 $\frac{1}{2}$ W 9 poles to a stake on  
the original West line and stake opposite on  
the line thence with said West line  
N 21 $\frac{1}{2}$ W 12 $\frac{1}{4}$  poles to a double spruce original  
corner thence with original line N 59 $\frac{1}{2}$  E  
22 poles to the beginning containing  
4 acres more or less



(5) (A.D. Young)

We have laid off and signed to  
Cass Young, Cass Young Forest Young and  
Hollingsworth Young children of Moses  
Cass Young. Lot 1<sup>st</sup> 5<sup>th</sup> 5" (prime) - at  
1<sup>st</sup> 5" is bounded as follows to wit  
Beginning at (P) a stake and looking  
near a brook thence with division line  
between C.V. Young & R.D. Young S 32<sup>1</sup>/<sub>2</sub> E 25<sup>1</sup>/<sub>2</sub> poles  
to a stake below and S 84<sup>1</sup>/<sub>2</sub> E 1 pole to stake  
and end with the same S 59<sup>1</sup>/<sub>2</sub> W 2<sup>1</sup>/<sub>2</sub> poles  
to 4<sup>th</sup> 5<sup>th</sup> 11 poles S 74<sup>1</sup>/<sub>2</sub> W 23<sup>1</sup>/<sub>2</sub> poles S 82<sup>1</sup>/<sub>2</sub> or 27<sup>1</sup>/<sub>2</sub>  
poles S 64<sup>1</sup>/<sub>2</sub> W 3<sup>1</sup>/<sub>2</sub> poles S 55<sup>1</sup>/<sub>2</sub> W 5<sup>1</sup>/<sub>2</sub> poles to a stake  
on the south side of road thence bearing  
road N 9<sup>1</sup>/<sub>2</sub> E 10 poles to a stake and extension  
on a cliff corner to lot 103 thence with said  
line of C.V. Young line and fence N 78<sup>1</sup>/<sub>2</sub> E 10  
poles N 63<sup>1</sup>/<sub>2</sub> E 13<sup>1</sup>/<sub>2</sub> poles N 43<sup>1</sup>/<sub>2</sub> E 7<sup>1</sup>/<sub>2</sub> poles to an  
apple tree N 63<sup>1</sup>/<sub>2</sub> E 14<sup>1</sup>/<sub>2</sub> poles to a stake in brook  
thence with brook S 83<sup>1</sup>/<sub>2</sub> E 24<sup>1</sup>/<sub>2</sub> poles to a stake  
looking the beginning corner  
- Continuing & across Moses' left -  
Lot 1<sup>st</sup> 5<sup>th</sup> is bounded thence by Beginning  
at A a stake at the north end of a line  
corner to C.V. Young land thence with  
division line between Cass Young & R.D.  
Young N 6<sup>1</sup>/<sub>2</sub> W 100 poles to B a stake at  
the north corner of line and end  
the same S 74<sup>1</sup>/<sub>2</sub> W 10<sup>1</sup>/<sub>2</sub> poles to M a small  
white oak S 6<sup>1</sup>/<sub>2</sub> W 60 poles to a white oak S 12<sup>1</sup>/<sub>2</sub> E  
12<sup>1</sup>/<sub>2</sub> poles to a stake N 30<sup>1</sup>/<sub>2</sub> E 33 poles to the begin-  
ning. Containing 10<sup>1</sup>/<sub>2</sub> acres more or less



We have laid off and assigned to R.  
H. Young Lot No 6 which is bounded  
as follows to wit: Beginning at Sta stake  
in public road corner to Lot 5 and  
thence thence of  $S 57^{\circ} 20' 9'' E$  pole 441 W 11  
pole 874 W 8 pole 1120 W leaving road  
 $S 30^{\circ} 3' E$  135 pole to a black oak top of  
Powell Mountain thence with the top  
line of 1868 <sup>47</sup> pole to a blazed marker  
1452 87 pole to a blazed marker thence  
corner of Mountain and section line  
between R. H. Young & R. A. Young - 130 W 382  
pole 194 W 20 pole to a stake in the back  
of a spring  $S 32^{\circ} 54' 6'' E$  33 pole to the be-  
ginning. Containing 16 acres more  
or less.

We have laid off and assigned to  
Resamond F. Young Lot No 7  
bounded as follows: Beginning at Sta  
stake in public road thence with  
line of Lot 1  $S 57^{\circ} 24' 40'' E$  15 pole  $S 87^{\circ} 31''$   
124 pole to W. stake thence leaving road  
 $S 32^{\circ} 24' 40''$  pole to a survey and each on top  
of Powell Mountain and with the top  
line of 1868 <sup>147</sup> pole 1726 7 pole to (11) a  
black oak corner to Lot 6 and with line  
thence of  $S 35^{\circ} 4' 11'' E$  pole to the begin-  
ning. Containing 18 acres more or  
less.

We have laid off and assigned  
to Bradford Young Lots 8 and 9  
Lot No 8 is bounded in this way



Beginning at N<sup>o</sup> 12 stake in road corner  
to Lot 1-7 thence with road S 82° 25' E 147 poles  
to 6445 11<sup>22</sup> poles S 55° 52' 40" E 9<sup>38</sup> poles to (8) a stake  
corner to Lot 4 and with line thereof S 42° 28'  
82 poles to (1) a stake corner to said Lot  
thence continuing with original west  
line S 43° 16' 52" poles to an apple tree  
thence same corner S 41° 21' E 85<sup>66</sup> poles  
to 2 a stake on top of Mountain and  
with same S 48° 16' 11<sup>53</sup> poles to 6338 7<sup>11</sup> poles  
to X a corner of road corner to Lot  
1-7 and with line thereof S 35° 40'  
poles to the beginning

Containing 17 Acres More or less

Lot 1-8 is bounded as follows

Beginning at a stake on the original  
west corner opposite an apple tree thence  
with the line of shore lot 1-4436 14<sup>66</sup>  
poles to a thorn bush 147<sup>10</sup> S 43° 28' E 10  
poles to 6860 12 poles to (6) a stake on the  
original west line thence S 22° 51' E 85 poles  
to the beginning Containing 3 acres  
More or less - Being the R.R. crossing part of them  
This lot is to have by reservation the  
black building on the North line of Lot  
1-4 and shared by

Lot 5 (present) is to have a right of way  
to haul through Lot 1-3 along the present  
road now on the other parcel being  
the proprietors may agree upon

Lot 1-7 is to have a right of way west to the  
public road for cattle to pass unobstructed



to the nearest branches lot & 6

All parties or owners of all lots are to have equal privilege to use for house hold purposes the spring at bridge south side of creek by house lot

In mentioning these arrangements we have had before us and have intended to give each his his or her proportional part as set forth in said order or leaves. In fact I understand that the day of lot 150

L.M. Carnical

J.E. Hubbs

B.S. Banner

Fanner

### Bill of Cost

L.M. Carnical	sr & com		\$ 37.00
J.E. Hubbs	} com	32 days	\$ 7.00
B.S. Banner		4 "	8.00
James Hoge	} ch	1 1/2	1.50
Bryant Fanner		1 1/2	1.50

~~\$ 54.00~~



In the Clerk's Office of the Circuit Court of the County of  
Lee

Bradford Young & others Plaintiff &  
against

In Chancery

R. W. Young & others Defendant &

This day Osro Young personally appeared  
before me, A. B. Munsey Clerk of the said Court,

and being duly sworn, made oath that Rosamond Freeman & John T. Freeman  
her husband & R. W. Young, Victoria Duff & George Duff her husband  
Fizzell Young, Eva Young, Ossie Young, Carrie Young  
Williamson F. Young & Forest Young  
defendant in the said suit are not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 15<sup>th</sup> day of May  
1899.

A. B. Munsey Clerk



Bradford Young et al

vs. {

AFFIDAVIT FOR ORDER  
OF  
PUBLICATION.

R. M. Young et al

C. T. Duncan p. q.

Filed May the 15th  
1899.

A. B. Munsey Clerk



In the Clerk's Office of the Circuit Court of the County of  
Lee on the 26<sup>th</sup> day of August 1899.

Ozro Young and others  
against

Plaintiff

In Chancery

R Wellington Young & others Defendant

The object of this suit is to partition the lands of which Robert D. Young late of this County died seized, among his several children & heirs at law, said lands being situated on Waller in Lee County Va, consisting of tract owned by him in his own right and an undivided moiety of a tract owned by himself & L. V. Young

And an affidavit having been made and filed that the defendant R Wellington Young, Rosamond Freeman, John T. Freeman her husband, Victoria Duff, George Duff her husband, Oscar Young, Carrie Young, Robert Young, Wellington Young are not resident of the State of Virginia, it is ordered that they do appear here within fifteen days after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof, be published once a week for four weeks in the South-West Virginia, and that a copy be posted at the front door of the court-house of this County on the first day of the next term of the Circuit Court.

A copy—Teste:

do. T. Duncan P. Q.

A B Munsey Clerk.

Young & others vs. Young & others



Ozro Young et. als

vs. }

ORDER OF  
PUBLICATION.R Wellington Young et<sup>als</sup>

Virginia Lee County To-wit  
 I A B Munsey Clerk of  
 the Circuit Court for Lee  
 County do hereby certify  
 that I posted a copy  
 of the within order of  
 Publication at the front  
 door of the Court-house  
 of Lee County on the  
 first day of the Sept  
 term of County Court  
 for said County this  
 the 17th day of Sept  
 1899.  
 A B Munsey Clerk



The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon

R Wellington Young  
Rasmond Freeman & John T. Freeman  
her husband, Victoria Duff & George  
Duff her husband, Ossie Young  
Barrie Young Forest Young &  
Wellington Young Children and heirs  
at law of Marcellus Young deceased,  
Lizzie Young, & Eva Young Children  
and heirs at law of Alois Young  
deceased, and C. V. Young

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the 1st Monday in October, 1899, to answer a bill in  
chancery, exhibited against them in our said court by

Ozro Young, Bradford Young Fay  
Sage and Sampson Sage her husband

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,  
the 23<sup>rd</sup> day of August 1899, and in the 124 year of the Commonwealth.

A. B. Munsey Clerk



Serve copy on  
C. V. Young

Form No. 300.

Ozro Young et als

vs. }

SUBPOENA

IN

CHANCERY.

R Wellington Young et als

C. T. Duncan p. q

To 1st October Rules.

Seiscent Court.

Executed August 31st  
1899, by delivering an attested  
office copy of the  
within & a in Chcy to  
B. T. Young at the residence  
of C. V. Young he being a  
member of the family  
over the age of 16 years and  
by explaining to him its  
purpose the said C. V. Young  
not being found at his usual  
place of abode R. J. Young  
for W. J. Mulholland D. B.



**CERTIFICATE OF  
ORDER OF PUBLICATION.**

I, A. M. Goins, Editor of the **SOUTH-  
WEST VIRGINIAN**, a weekly newspa-  
per published at Jonesville, Lee County,  
Va., do hereby certify that the annex-  
ed notice was published in said paper  
once a week for four successive weeks,  
commencing on the 31<sup>st</sup> day of

Aug., 1899.

A. M. Goins, EDITOR.

FEE, \$5.00

**VIRGINIA**—In the Clerk's Office of the  
Circuit Court of the County of Lee on the  
26th day of August, 1899.

OZRO YOUNG, et als, Plaintiffs,  
against { In Chancery.

R. WELLINGTON YOUNG, et als, Def'ts.

The object of this suit is to partition the  
lands of which Robert D. Young late of  
this County died seized, among his several  
children and heirs at law, Said lands be-  
ing situated on Wallen's Creek, Lee coun-  
ty, Va., consisting of a tract owned by him  
in his own right, and an undivided moiety  
of a tract owned by himself & C. V. Young.  
And an affidavit having been made and  
filed that the defendants R. Wellington  
Young, Rosamond Freeman and John T.  
Freeman her husband, Victoria Duff and  
George Duff her husband, Ossie Young,  
Carrie Young, Forest Young, Wellington  
Young, Lizzie Young and Eora Young are  
not residents of the State of Virginia, it is  
ordered that they do appear here within  
fifteen days after due publication hereof  
and do what may be necessary to protect  
their interest in this suit. And it is fur-  
ther ordered that a copy hereof, be pub-  
lished once a week for four weeks in the  
Southwest Virginian, and that a copy be  
posted at the front door of the court-house  
of this County, on the first day of the next  
term of the County Court.

A copy—feste:

A. B. MUNSEY, Clerk.

C. T. DUNCAN, p. q.

4t—Aug 31.



ORDER OF PUBLICATION.

Ozro Young et al.

VS.

IN CHANCERY.

R. Wellington Young et al.

FEE

\$ 5-00